

CHEHALIS MUNICIPAL COURT  
COURT LOCAL RULES

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PREFACE

1.    Promulgation.   These rules shall be known as the Local Rules for Municipal Court of Chehalis, County of Lewis, State of Washington.  Copies of these rules will be filed with the Office of the Administer of the Courts, and the Clerk of the Municipal Court of Chehalis.  Copies of these rules will be distributed to all law offices in Lewis County and to the county Law Library for public reference.  To the extent possible, these rules will be placed on the Internet at the Chehalis Municipal Court web page.  Copies will be available from the Municipal Court Clerk for Chehalis.  These rules will be effective on September 1, 2000, and supersede all prior rules of this court.

2.    Numbering.   Consistent with GR 7(b) Washington Court Rules, these rules to the extent possible, conform in numbering system and in format to those rules adopted by the Supreme Court of the State of Washington for courts of limited jurisdiction and facilitate the use of the same.  The number of each rule is preceded by abbreviation "CML", designating the rule as a Chehalis Municipal Local Rule and as being supplemental to the corresponding Washington Court Rule for Courts of Limited Jurisdiction.

3.    Revisions and Additions (reserved).

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CMLARLJ 1.       SCOPE OF LOCAL RULES

      These rules govern the procedure in the Municipal Court of Chehalis, County of Lewis, State of Washington.  These rules are supplemental to the rules enacted by limited

jurisdiction as specifically authorized by GR 7, CRLJ 83, CrRLJ 1.7, and IRLJ 1.3 of the Washington Court Rules. The court may modify or suspend any of these local rules in any given case upon good cause being shown or upon the court's own motion.

1. Appearance following arrest.

(a) Defendant having been arrested for Driving Under the Influence, RCW 46.61.50571, must appear in court on the earliest practicable day as defined herein.

(b) Earliest practicable day is defined as the next regularly scheduled court session.

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CMLARLJ 2. DECORUM

1. Courtroom Decorum. All attorneys and other individuals in the courtroom shall abide by the following rules of conduct.

(a) Always be Prompt. Be in the courtroom ready to proceed at the appointed time.

(b) Dress Appropriately to the Serious Nature of the Matters Before the Court. Shorts and other kinds of beach apparel are not appropriate. Clothing advertising alcoholic beverages or illegal drugs are not appropriate. Hats are not to be worn in the courtroom.

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CMLARLJ 3.  
DECISION ON WRITTEN STATEMENTS

(a) Written Submissions: Traffic infractions may be heard by the Court on the basis of written documents submitted by the city and a defendant, as provided in IRLJ 2.4 (b) (4) and IRLJ 2.6. A written submission must be received by the court no later than seven (7) days prior to the scheduled date of the contested or mitigation hearing, or the submission will not be considered.

(b) Generally: The court shall examine the citing officer's report and any written documents submitted by the defendant. The examination shall take place within 120 days after the defendant files the response to the notice of

infraction. The examination may be held in chambers and shall not be governed by the Rules of Evidence.

- (c) Factual Determination: For purposes of a contested infraction hearing, the court shall determine whether the city has established, by a preponderance of all submitted evidence, that the defendant committed the infraction.
- (d) Disposition: If the court determines that the infraction has been committed, it may assess a penalty amount, and any appropriate and permitted costs to be paid by the defendant.
- (e) Notice to Parties: The court shall notify the parties in writing, whether an infraction was found to have been committed and what penalty, if any, was imposed.
- (f) No Appeal Permitted: There shall be no appeal from a court determination based upon written statements.

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